

85<sup>th</sup> Legislative Session – 2010

Committee: Senate Appropriations

Friday, February 19, 2010

P - Present  
E - Excused  
A - Absent

Roll Call

P Bartling  
P Hundstad  
P Ahlers  
P Novstrup (Al)  
P Brown  
P Haverly, Vice-Chair  
P Hunhoff (Jean), Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Jean Hunhoff.

SB 106: authorize the Board of Regents and the Building Authority to contract for construction of classroom facilities at the University Center in Sioux Falls to replace facilities leased from the Sioux Falls School District, and to make an appropriation therefor.

MOTION: DO PASS SB 106

Moved by: Ahlers  
Second by: Brown  
Action: Prevailed by roll call vote. (6-1-0-0)

Voting Yes: Bartling, Hundstad, Ahlers, Novstrup (Al), Brown, Haverly

Voting No: Hunhoff (Jean)

SB 120: revise the appropriations budget transfer process.

MOTION: AMEND SB 120

120aa

On page 2, line 7, of the printed bill, after "." insert "The ten-day notification may be waived for transfers made after June twentieth of each fiscal year if the commissioner of the Bureau of Finance and Management deems the transfer to be an emergency. However, notification shall be made to the special legislative committee no later than the day of the transfer.".

Moved by: Hundstad  
Second by: Bartling  
Action: Prevailed by voice vote.

MOTION: DEFER SB 120 TO THE 41<sup>ST</sup> LEGISLATIVE DAY

Moved by: Haverly  
Second by: Novstrup (Al)  
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION AMEND SB 120

120ua

On page 2, line 5, of the printed bill, delete "prior to" and insert "after".

Moved by: Hundstad  
Second by: Haverly  
Action: Failed by voice vote.

MOTION: DEFER SB 120 TO THE 41<sup>ST</sup> LEGISLATIVE DAY

Moved by: Haverly  
Second by: Novstrup (Al)  
Action: Prevailed by roll call vote. (5-2-0-0)

Voting Yes: Bartling, Novstrup (Al), Brown, Haverly, Hunhoff (Jean)

Voting No: Hundstad, Ahlers

SB 177: revise certain provisions regarding the appropriation process.

Presented by: Senator Jeffrey Haverly  
Opponents: Jason Dilges, Bureau of Finance & Management  
Monte Kramer, Board of Regents

MOTION: DO PASS SB 177

Moved by: Haverly  
Second by: Brown  
Action: Prevailed by roll call vote. (6-1-0-0)

Voting Yes: Bartling, Hundstad, Novstrup (Al), Brown, Haverly, Hunhoff (Jean)

Voting No: Ahlers

HB 1010: revise the requirements for the compilation and printing of the legislative manual referred to as the blue book.

Presented by: Chris Nelson, Secretary of State

MOTION: DO PASS HB 1010

Moved by: Hundstad  
Second by: Ahlers  
Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Bartling, Hundstad, Ahlers, Novstrup (Al), Brown, Haverly, Hunhoff (Jean)

HB 1044: make an appropriation to reimburse certain family physicians, physician assistants, and dentists who have complied with the requirements of the physician tuition reimbursement program, the midlevel tuition reimbursement program, and the dental tuition reimbursement program.

Presented by: Tom Martinec, Department of Health (Handouts: No. 1)

MOTION: DO PASS HB 1044

Moved by: Haverly  
Second by: Brown  
Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Bartling, Hundstad, Ahlers, Novstrup (Al), Brown, Haverly, Hunhoff (Jean)

MOTION:     ADJOURN

Moved by:     Haverly

Second by:    Ahlers

Action:        Prevailed by voice vote.

Barb Bjorneberg  
Committee Secretary

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Jean M. Hunhoff, Chair

## Committee Agenda

Committee: Senate Health and Human Services  
Room: 412  
Date: Friday, February 19, 2010  
Time: 7:45 AM

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Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

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[SB 115](#)      **prohibit the sale or delivery of contact lenses without a prescription.**  
Senators Gray, Gant, and Jerstad and Representatives Olson (Ryan), Moser, and Rounds

[HB 1029\\*](#)      **authorize the Board of Social Worker Examiners to deny, suspend, or revoke applications for licensure or licenses under certain circumstances and repeal certain physical examination provisions.**  
The Committee on Health and Human Services at the request of the Department of Human Services

[HB 1028](#)      **revise certain requirements for the provisional certification of interpreters for the deaf and revise certain authority to promulgate rules concerning certified interpreters for the deaf.**  
The Committee on Health and Human Services at the request of the Department of Human Services

[HB 1043](#)      **revise the risk pool rate methodology, to revise the number of risk pool benefit plans offered, and to revise open enrollment for uninsurable children.**  
The Committee on Health and Human Services at the request of the Bureau of Personnel

### BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

[SB 160](#)      **allow certain local governments to participate in the state health insurance plan.**  
Senators Garnos, Kloucek, and Olson (Russell) and Representatives Van Gerpen, Fargen, Juhnke, and Krebs

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STANFORD M. ADELSTEIN, Chair

## Committee Agenda

Committee: Senate Local Government  
Room: 423  
Date: Friday, February 19, 2010  
Time: 10:00 AM

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Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

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- [SB 80](#)      **clarify certain conditions of service by elected municipal officials.**  
Senators Maher and Dempster and Representatives Olson (Betty), Kirkeby, and Schrempp
- [HB 1082](#)\*      **permit counties to require criminal background checks for persons seeking employment.**  
Representatives Cutler, Feickert, and Schlekeway and Senators Gant, Miles, and Tieszen
- [HB 1090](#)\*      **revise certain provisions concerning the county legal expense relief fund.**  
Representatives Feickert, Frerichs, Kirkeby, and Rausch and Senators Hansen (Tom), Bartling, and Olson (Russell)
- [HB 1100](#)      **revise certain provisions related to airport revenue bonds.**  
Representatives Lust and Solberg and Senators Dempster and Bartling

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JASON M. GANT, Chair

85<sup>th</sup> Legislative Session – 2010

Committee: Senate State Affairs

Friday, February 19, 2010

P - Present  
E - Excused  
A - Absent

Roll Call

P Abdallah  
P Hanson (Gary)  
P Heidepriem  
P Knudson  
P Olson (Russell)  
P Rhoden  
P Turbak Berry  
P Gray, Vice-Chair  
P Dempster, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Thomas Dempster, Chair.

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, FEBRUARY 17, 2010.

Moved by: Gray  
Second by: Rhoden  
Action: Prevailed by voice vote.

SB 186: change the unemployment insurance wage base and contribution rates and to declare an emergency.

Presented by: Senator Bob Gray  
Proponents: Shawn Lyons, SD Retailers Association  
Pam Roberts, Secretary, Department of Labor  
Myron Rau, SD Trucking Association  
Julie Johnson, Absolutely Aberdeen  
Bob O'Connell, Sioux Falls Area Chamber of Commerce  
Lindsey Riter-Rapp, National Federation of Independent Business

MOTION: AMEND SB 186

186oa

On page 4, line 14, of the printed bill, delete "0.50%" and insert "-0.50%".

On page 4, line 15, delete "-0.5.00%" and insert "-0.50%".

On page 4, line 15, delete "0.25%" and insert "-0.25%".

Moved by: Heidepriem  
Second by: Gray  
Action: Prevailed by voice vote.

MOTION: DO PASS SB 186 AS AMENDED

Moved by: Abdallah  
Second by: Turbak Berry  
Action: Prevailed by roll call vote. (8-0-1-0)

Voting Yes: Abdallah, Hanson (Gary), Heidepriem, Olson (Russell), Rhoden, Turbak Berry, Gray, Dempster

Excused: Knudson

HB 1060: revise certain provisions regarding the refunds for new or expanded agricultural facilities and the refunds for new or expanded business facilities.

Presented by: Paul Kinsman, Secretary of Department of Revenue & Regulation  
Proponents: David Wiest, Department of Revenue and Regulation  
Opponents: Brett Koenecke, Iberdrola Renewables (Handouts: Doc. 3)  
Steve Tomac, Basin Electric Power Coop  
Julie Johnson, Aberdeen Development Corporation  
Bill Van Camp, Acciona Wind Energy  
Larry Mann, Powertech, USA  
Dennis Duncan, Trans Canada Corporation  
John Meyer, self, Winner

THE CHAIR DEFERRED HB 1060 UNTIL MONDAY, FEBRUARY 22, 2010.



SB 195: revise certain provisions related to tax refunds.

Presented by: Senator Dave Knudson  
Proponents: Steve Willard, SD Electric Utilities  
Opponents: Brett Koenecke, Iberdrola Renewables (Handouts: Doc. 3)  
Steve Tomac, Basin Electric Power Coop  
Julie Johnson, Aberdeen Development Corporation  
Bill Van Camp, Acciona Wind Energy  
Larry Mann, Powertech, USA  
Dennis Duncan, Trans Canada Corporation  
John Meyer, self, Winner

THE CHAIR DEFERRED SB 195 UNTIL MONDAY, FEBRUARY 22, 2010.

SB 123: suspend certain tax refunds, to suspend the issuance of permits providing tax refunds for certain facilities and productions, to suspend the issuance of permits allowing a lower rate of taxation for certain facilities, and to declare an emergency.

Presented by: Senator Jim Hundstad (Handouts: Doc. 1,2)  
Opponents: Brett Koenecke, Iberdrola Renewables (Handouts: Doc. 3)  
Steve Tomac, Basin Electric Power Coop  
Julie Johnson, Aberdeen Development Corporation  
Bill Van Camp, Acciona Wind Energy  
Larry Mann, Powertech, USA  
Dennis Duncan, Trans Canada Corporation  
John Meyer, self, Winner

THE CHAIR DEFERRED SB 123 UNTIL MONDAY, FEBRUARY 22, 2010.

SB 102: provide for mutual consultation between the Legislature and the Department of Game, Fish and Parks prior to the execution of certain leases.

Presented by: Senator Dave Knudson  
Proponents: Jim Hood, Black Hills Playhouse, Inc., Rapid City  
Graham Thatcher, Self, Rapid City  
Larry Mann, self, Rapid City  
Opponents: Jeff Vonk, Department of Game, Fish & Parks

MOTION: AMEND SB 102

102ra

On the printed bill, delete everything after the enacting clause and insert:

" Section 1. The lease agreement entered into effective October 1, 1999, by the State of South Dakota by and through the South Dakota Department of Game, Fish and Parks and the Black Hills Playhouse, Inc., is hereby ratified and continued and shall remain in full force and effect until September 30, 2019."

Moved by: Knudson  
Second by: Heidepriem  
Action: Prevailed by voice vote.

MOTION: DO PASS SB 102 AS AMENDED

Moved by: Heidepriem  
Second by: Knudson  
Action: Prevailed by roll call vote. (6-3-0-0)

Voting Yes: Abdallah, Hanson (Gary), Heidepriem, Knudson, Turbak Berry, Dempster

Voting No: Olson (Russell), Rhoden, Gray

MOTION: AMEND TITLE OF SB 102

102rta

On page 1, line 1, of the printed bill, delete everything after "to" and insert "ratify and continue the lease agreement on the Black Hills Playhouse."

On page 1, delete line 2.

Moved by: Turbak Berry  
Second by: Knudson  
Action: Prevailed by voice vote.

SB 91: require legislative approval of certain gaming compacts with Indian tribes.

MOTION: DO PASS SB 91

Moved by: Knudson  
Second by: Gray  
Action: Failed by roll call vote. (4-4-1-0)

Voting Yes: Knudson, Rhoden, Gray, Dempster

Voting No: Abdallah, Hanson (Gary), Olson (Russell), Turbak Berry

Excused: Heidepriem

MOTION: DEFER SB 91 TO THE 41<sup>ST</sup> LEGISLATIVE DAY

Moved by: Gray  
Second by: Abdallah  
Action: Prevailed by voice vote.

MOTION: ADJOURN

Moved by: Abdallah  
Second by: Gray  
Action: Prevailed by voice vote.

Cheri Hauschild  
Committee Secretary

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Thomas A. Dempster, Chair

## Committee Agenda

Committee: Senate Taxation  
Room: 412  
Date: Friday, February 19, 2010  
Time: 10:00 AM

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[HB 1185](#)     **provide property tax benefits to the surviving spouses of certain disabled veterans.**

Representatives Jensen, Blake, Bolin, Boomgarden, Brunner, Carson, Conzet, Cronin, Curd, Cutler, Faehn, Fargen, Gosch, Greenfield, Hamiel, Hoffman, Hunt, Kirkeby, Kopp, Krebs, Lederman, Lust, Moser, Novstrup (David), Nygaard, Olson (Betty), Olson (Ryan), Pitts, Putnam, Rave, Romkema, Rounds, Russell, Schlekeway, Schrempp, Sly, Solum, Steele, Street, Tidemann, Turbiville, Van Gerpen, Vanderlinde, Verchio, Wink, and Wismer and Senators Adelstein, Abdallah, Bartling, Fryslie, Gant, Gray, Haverly, Heidepriem, Jerstad, Kloucek, Maher, Olson (Russell), Schmidt, Tieszen, and Turbak Berry

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TOM HANSEN, Chair

## Committee Agenda

Committee: Senate Transportation  
Room: 423  
Date: Friday, February 19, 2010  
Time: 8:00 AM

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Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

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[SB 147](#)      **establish a legislative policy to biannually review the highway needs and adjust the highway user fees.**

Senators Vehle, Ahlers, Brown, Fryslie, and Maher and Representatives Krebs, Juhnke, and Street

[HB 1035](#)      **revise certain provisions regarding boat license decals and boat numbering.**  
The Committee on Transportation at the request of the Department of Revenue and Regulation

[HB 1042](#)\*      **increase certain billboard permit fees.**  
The Committee on Transportation at the request of the Department of Transportation

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

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MIKE VEHLE, Chair